

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CARMELO ROMAN, RICARDO
ROMAN-RIVERA and
SDM HOLDINGS, INC., individually
and on behalf of all others similarly
situated

Plaintiffs

vs.

UBS FINANCIAL SERVICES, INC.
OF PUERTO RICO; UBS TRUST
COMPANY OF PUERTO RICO;
PUERTO RICO INVESTORS
TAX-FREE FUND IV, INC.; PUERTO
RICO FIXED INCOME FUND III, INC.;
PUERTO RICO FIXED INCOME
FUND V, INC.; PUERTO RICO
INVESTORS BOND FUND I, INC.;
PUERTO RICO AAA PORTFOLIO
BOND FUND, INC.; PUERTO
RICO AAA PORTFOLIO BOND
FUND II, INC.; MIGUEL A. FERRER;
CARLOS J. ORTIZ

Defendants

CIVIL 12-1663CCC

AMENDED ORDER

Having considered the Motion to Compel and for Discovery Sanctions filed by plaintiffs on March 13, 2015 (**d.e. 156**) and the opposition filed by defendants UBS Financial Services Incorporated of Puerto Rico and UBS Trust Company of Puerto Rico on March 30, 2015 (d.e. 158), as well as the relevant corresponding exhibits submitted by the parties, said Motion to Compel and for Discovery Sanctions is DENIED.

Beyond the fact that movants have not shown spoliation or destruction of evidence, the Court notes that the breadth of the discovery in issue sought by plaintiffs Román, Román-Rivera and SDM Holdings, Inc., at a stage in which a determination on the request for class certification is pending, goes beyond the extent of discovery concerning Fed. R. Civ. P. 23 requirements. Without

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having established the Rule 23 requirements, they cannot embark on discovery that presumes that the class has been certified and that proponents are class representatives.

SO ORDERED.

At San Juan, Puerto Rico, on April 7, 2016.

S/CARMEN CONSUELO CEREZO
United States District Judge